

~~* AMENDED *~~
CHAPTER 13 PLAN
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

Debtor: JESSICA L SIMMS SSN: XXX-XX-3448
Joint Debtor: SSN: XXX-XX-
Address: 385 NAIL ROAD, APT F62
SOUTHAVEN, MS 38671

CASE NO. 17-1448
Median Income: ☒ Above ☐ Below

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of 60 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

- (A) Debtor shall pay \$ 263.50 (☐ monthly, ☒ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

CIVIL-LINK, LLC
5779 GETWELL ROAD, BUILDING B
SOUTHAVEN, MS 38672

- (B) Joint Debtor shall pay \$ _____ (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS.

Filed claims which are not disallowed are to be paid in full or as ordered by the Court as follows:

Internal Revenue Service: \$ _____ at \$ _____/month
Mississippi Dept. of Revenue: \$ _____ at \$ _____/month
Other/_____: \$ _____ at \$ _____/month

DOMESTIC SUPPORT OBLIGATION. DUE TO:

N/A

POST PETITION OBLIGATION: In the amount of \$ _____ per month beginning _____.
To be paid ☐ direct, ☐ through payroll deduction, or ☐ through the plan.

PRE-PETITION ARREARAGE: In the total amount of \$ _____ through _____ which shall be paid in the amount of \$ _____ per month beginning _____.
To be paid ☐ Direct, ☐ through payroll deduction, or ☐ through the plan.

HOME MORTGAGES. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein.

Mtg pmts to <u>N/A</u>	Beginning _____	@ \$ _____	<input type="checkbox"/> Plan <input type="checkbox"/> Direct
Mtg pmts to _____	Beginning _____	@ \$ _____	<input type="checkbox"/> Plan <input type="checkbox"/> Direct
Mtg pmts to _____	Beginning _____	@ \$ _____	<input type="checkbox"/> Plan <input type="checkbox"/> Direct

Mtg arrears to <u>N/A</u>	Through _____	\$ _____	@ \$ _____/mo
Mtg arrears to _____	Through _____	\$ _____	@ \$ _____/mo
Mtg arrears to _____	Through _____	\$ _____	@ \$ _____/mo

Debtor's Initials _____

Joint Debtor's Initials _____

Chapter 13 Plan, Page 1 of 3

MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed ☐ Yes ☐ No

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed ☐ Yes ☐ No

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

CREDITOR'S NAME	COLLATERAL	910* CLM	APPROX. AMT. OWED	VALUE	INT. RATE	PAY VALUE OR AMT. OWED
CAPITAL ONE AUTO FINANCE	2010 TOYOTA FJ CRUI		\$13,069.00	\$16,700.00	5	AMT. OWED
ROYAL FURNITURE	BEDROOM SET		\$1,157.00	\$867.00	5	VALUE

* The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
CAPITAL ONE AUTO FINANCE	2012 KIA OPTIMA	\$14,208.00	SURRENDER/COSIGNER

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

CREDITOR'S NAME	APPROX. AMT. OWED	CONTRACTUAL MO. PMT.	PROPOSED TREATMENT
FED LOAN SERVICING	\$77,480.00		TREAT AS UNSECURED NONDISCHARGEABLE

SPECIAL PROVISIONS which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:

GENERAL UNSECURED CLAIMS total approximately \$ 84,689.00. Such claims must be *timely filed* and not disallowed to receive payment as follows: IN FULL (100%), %(percent) MINIMUM, or a total distribution of \$ 5,400.00, with the Trustee to determine the percentage distribution. *Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.*

Total attorney fee charged: \$ 3,400.00
Attorney fee previously paid: \$ 0.00
Attorney fee to be paid in plan: \$ 3,400.00

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Automobile Insurance Co/Agent

Attorney for Debtor (Name/Address/Phone/Email)

MICHAEL W. BOYD, P.A.

PO BOX 1586

GREENVILLE, MS 38702-1586

Telephone/Fax: _____

Telephone No. 662-332-0202

Facsimile No. 662-332-0241

Email address NOTICES@BOYDLAWOFFICE.COM

DATED: _____ DEBTOR'S SIGNATURE

/S/ JESSICA L. SIMMS

JOINT DEBTOR'S SIGNATURE

ATTORNEY'S SIGNATURE

/S/ MICHAEL W. BOYD